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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No 99RSS196  
First Named Inventor or Application Identifier Keith Chu  
Title NETWORK LATENCY RECOVERY FOR INTERNET GATEWAYS  
Express Mail Label No EL339109792US

## APPLICATION ELEMENTS

See MPEP Chapter 600 concerning utility patent application contents

## ADDRESS TO:

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1. ☐ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)

2. ☒ Specification [Total Pages 13]  
(preferred arrangement set forth below)

- Descriptive title of the Invention
- Cross References to Related Applications
- Statement Regarding Fed sponsored R&D
- Reference to Microfiche Appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s) - INCLUDED
- Abstract of the Disclosure - INCLUDED

3. ☒ Drawing(s) (35 USC d113) [Total Sheets 5]

4. Oath or Declaration [Total Pages]  
(including Supplemental Declaration)

- a. ☐ Newly Executed (original or copy)
- b. ☐ Copy from a prior application (37 CFR §1.63(d))  
(for continuation/divisional with Box 17 completed)

[Note Box 5 below]

- i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s)  
named in the prior application,  
see 37 CFR §1.63(d)(2) and 1.33(b)

5. ☐ Incorporation By Reference (useable if Box 4b is checked)  
The entire disclosure of the prior application, from which a copy of  
the oath or declaration is supplied under Box 4b, is considered as  
being part of the disclosure of the accompanying application and is  
hereby incorporated by reference therein.

6. ☐ Microfiche Computer Program (Appendix)
7. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
- a. ☐ Computer Readable Copy
- b. ☐ Paper Copy (identical to computer copy)
- c. ☐ Statement verifying identical of above copies

## ACCOMPANYING APPLICATION PARTS

8. ☐ Assignment Papers (cover sheet & Documents(s))
9. ☐ 37 CFR §3.73(b) Statement [ ] Power of Attorney  
(when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure Statement (IDS)/PTO-1449 [ ] Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
14. ☐ Small Entity Statement(s) [ ] Statement filed in prior application  
(PTO/SB/09-12) Status still proper and desired
15. ☐ Certified Copy of Priority Document(s)  
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17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment:

- ☐ Conversion ☐ Divisional ☐ Continuation-in-part (CIP) of provisional application No:  
Prior application information: Anticipated Examiner:

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

(Attorney Docket No.: 99RSS196)

TITLE:

**Network Latency Recovery for Internet Gateways**

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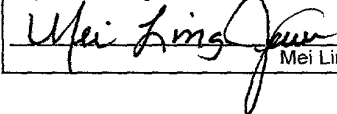
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Mei Ling Jew

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

(Attorney Docket No.: 99RSS196)

**TITLE: NETWORK LATENCY RECOVERY FOR INTERNET GATEWAYS**

**SPECIFICATION**

**BACKGROUND**

**1. Field of the Invention**

The present invention generally relates to network latency, and more particularly to network latency recovery for Internet gateways.

**2. Description of the Related Art**

T.38 is an emerging International Telecommunications Union (ITU) standard for fax transmission over Internet Protocol (IP) networks. The standard defines how Group 3 end-to-end facsimile terminals can connect to each other through the Internet. Fax has traditionally been transmitted over standard telephone lines. Transmitting fax over a data network presents new opportunities for enhanced fax delivery, such as real time fax.

The ITU-T T.38 recommendation, which is incorporated herein by reference, indicates that support for V.34 is for further study. V.34 is a standard for modems operating at data signalling rates of up to 33,600 bit/s.

## SUMMARY OF THE INVENTION

Briefly, a communications system includes an internet protocol network, a calling modem and an answering modem configured to effectively handle network latency. The calling modem includes a timer storing a network latency value. The network latency value is compared to a network latency threshold. If the network latency value is less than the network latency value, then a high speed modem connection is continued. If the network latency value is greater than the network latency value, then the high speed modem connection is terminated. In place of the high speed modem connection, a low speed modem connection is established. The calling modem is operable to transmit a modem connection selection signal for selecting a high speed modem connection or a low speed modem connection. The answering modem is operable to receive the modem connection selection signal.

## **BRIEF DESCRIPTION OF THE DRAWINGS**

A better understanding of the present invention can be obtained when the following detailed description of the preferred embodiment is considered in conjunction with the following drawings, in which:

5           Figure 1 is a diagram showing exemplary signalling between a calling side and an answering side of a communications system with an acceptable network latency;

          Figures 2A–2B provide a flow chart of an exemplary network latency recovery process in accordance with the signalling and communications system of Figure 1;

10           Figure 3 is a diagram showing exemplary signalling between a calling side and an answering side of the communications system of Figure 1 with an unacceptable network latency; and

          Figure 4 is a block diagram of a calling modem in a calling gateway of Figures 1 and 3.

## **DETAILED DESCRIPTION OF PREFERRED EMBODIMENT**

Turning now to the drawings, Figure 1 shows a communications system C including end-point facsimile terminals F1 and F2 and Internet T.38 gateways G1 and G2. F1 and G1 constitute the calling side of the system C, and F2 and G2 constitute the answering side of the system C. The gateway G1 includes a calling modem, and the gateway G2 includes an answering modem. The facsimile gateways G1 and G2 allow for the facsimile terminals F1 and F2 to communicate transparently through an internet protocol (IP) network such as the Internet. Communication between the gateways G1 and G2, for example, can include transmitting a facsimile. With respect to facsimile communications, the calling gateway G1 encodes the fax signals into IP fax packets for transmission, and the answering gateway G2 decodes the transmitted IP fax packets back into fax signals. F1 and G1 can be embodied in an Internet-aware facsimile device, and F2 and G2 can be embodied in another Internet-aware facsimile device. F1 is shown sequentially providing a CNG signal sequence, a CM signal sequence, and a CJ signal sequence; G1 is shown sequentially providing an ANSam signal sequence and a JM signal sequence; G2 is shown sequentially providing a CNG signal sequence, a CM signal sequence, and a CJ signal sequence; and F2 is shown sequentially providing an ANSam signal sequence and a JM signal sequence. The design and operation of these signal sequences are understood in the art. The CNG, CM, CJ, and JM signals are defined and described in the ITU V.8 Recommendation, which is incorporated herein by reference as if set forth in its entirety.

In addition to the standard T.38 signals, the signalling between the calling or emitting side and the answering or receiving side includes signals to accomplish network latency recovery. The standard T.38 signals shown between the gateways G1 and G2 are t30-data(JM, info), t30-data(CM, info), and t30-indicator(CNG). The T.38 signals added for network latency recovery are a t30-indicator(CNG sent) signal and a t30-

indicator(DoV.8/Dolowspeed) signal. Certain signals are designated “t30” to reflect that the terminals FI and F2 communicate during a T.30 session. The nature of a T.30 session is understood in the art. The designation also relates to the type of message in the particular signal. The t30-indicator (DoV.8/Dolowspeed) signal is shown as the t30-indicator(DoV.8) signal in Figure 1 and is shown as the t30-indicator(Dolowspeed) signal in Figure 3. The t30-indicator(CNG sent) signal is used to indicate to G1 if a CNG response has been transmitted by G2. The t30-indicator(DoV.8/Dolowspeed) signal is used to indicate whether a V.8 modem connection should continue or if a Group 3 modem connection should be established. Network latency is here defined as the time between transmission of the t30-indicator(CNG) signal and reception of the t30-indicator(CNG sent) signal. If network latency is acceptable, then G1 responds with the t30-indicator(DoV.8) signal (Fig. 1). If network latency is unacceptable, then G1 responds with the t30-indicator(Dolowspeed) signal (Fig. 3). Normally, G2 and F2 have up to 4 seconds to respond with a V.8 signal, so it is proper to allow G2 to continue with CNG until G2 receives the t30-indicator(DoV.8/Dolowspeed) signal.

Referring to Figures 2A-2B, a flowchart of an exemplary network latency recovery process in accordance with the signalling and communications system C of claim 1 is shown. The process begins in step 200 where F1 transmits a CNG to G1. Next, in step 202, G1 detects the CNG and in response sends the t30-indicator(CNG) signal to G2. G2 is thereby informed to start transmitting CNG. From step 202, control proceeds to step 204 where G1 starts its timer 400 (Fig. 4). Control next proceeds to step 206 where it is determined by G1 if a CNG sent signal has been received from G2. Control remains in step 206 until the CNG sent signal is received from G2. When the CNG sent signal is received, control proceeds to step 208 where G1 stops its timer 400. Based on the starting time and stopping time of the timer 400, G1 now stores a network latency timer value 408 (Fig. 4). When the network

latency timer value 408 is too long, the high speed modem connection (in this case, a V.8 connection) fails. Until the CNG sent signal is received, G1 holds off transmission of an ANSam signal.

Next, in step 210, it is determined if the timer value 408 is below an acceptable latency threshold 404 (Fig. 4). If so, then control passes to step 212 where G1 transmits the t30-indicator(DoV.8) signal to G2. Next, in step 213, G1 continues transmitting ANSam since the timer value 408 was below an acceptable latency threshold 404. From step 213, control proceeds to step 214 where G2 ceases CNG transmission and transmits CM based upon the CM contents of F1. Next, the network latency recovery process is completed in step 216.

Referring to Figure 3, the communications system C and associated signalling is shown for an unacceptable network latency. The F1 is shown sequentially providing two CNG signal sequences and a DCS signal sequence; G1 is shown sequentially providing a CED signal sequence and a DIS sequence; G2 is shown sequentially providing two CNG signal sequences and a DCS signal sequence; and F2 is shown sequentially providing an ANSam signal sequence and a DIS signal sequence. The design and operation of these signal sequences are understood in the art. In terms of Figure 2, steps 210-214 are specific to Figure 3. Steps 200-10 are applicable to both Figure 1 and Figure 3. In step 210, if the timer value 408 is above the acceptable latency threshold 404, then control passes to step 218 where G1 transmits the t30-indicator(Dolowspeed) signal to G2 (Fig. 3). Next, in step 220, G1 transmits CED, instead of ANSam, forcing F1 to use V.17 (a standard for data signalling rates up to 14,400 bit/s) and lower procedures. A switch from one modem version to a previous modem version has generally been termed a "fallback." G1 continues to send CED while the timer value 408 is above the acceptable latency threshold 404. From step 220, control passes



to step 222 where G2 continues with its CNG transmission, forcing F2 to use V.17 and lower procedures. The network latency recovery process is then completed in step 216.

Referring to Figure 4, exemplary components of a calling modem M in the calling gateway G1 is shown. The modem M includes a comparison block 402 coupled to a timer 400, a latency threshold 404, and a modem connection (or modulation mode) selection block 406. The timer 400 stores the network latency value 408 described above. The comparison block 402 compares the network latency value 408 to the network latency threshold 404 described above. Based on the result of that comparison, the modem connection selection block 406 generates either the t30-indicator(DoV.8) signal or the t30-indicator(Dolowspeed) signal. If the network latency value 408 is less than the latency threshold 404, then the modem connection selection block 406 generates a t30-indicator(DoV.8) signal. If the network latency value 408 is greater than the latency threshold 404, then the modem connection selection block 406 generates the t30-indicator(Dolowspeed) signal. It should be understood that the illustrated components can be implemented in a variety of ways (hardware or software).

Thus, when network latency is greater than an acceptable value, a high speed modem connection is bypassed for a low speed modem connection. The high speed modem connection, for example, can be a V.8 modem connection, and the low speed modem connection can be a Group 3 modem connection. Also, the high speed modem connection can be a V.34 half-duplex connection. It should be understood that the network latency recovery techniques described herein are applicable to a variety of modem connections or modulation modes. In addition, while network latency recovery is described in a modem context, it should be understood that the network latency recovery techniques described herein are applicable to other communication devices with similar structure and/or operation. Other ways of suspending or terminating a high speed modem connection based on current network

latency without departing from the spirit of the invention are possible. Likewise, other ways of selectively operating a high speed modem connection and a low speed modem connection based on current network latency without departing from the spirit of the invention are possible.

## CLAIMS

We claim:

1           1.     A communications system configured for network latency recovery,  
2     comprising:  
3                 an internet protocol network;  
4                 a calling modem coupled to the internet protocol network, the calling modem  
5     including a timer, the timer being operable to store a network latency value, the calling  
6     modem being operable to compare the network latency value to a network latency threshold,  
7     to transmit a low speed modem connection selection signal if the network latency value is  
8     greater than the network latency threshold, and to transmit a high speed modem connection  
9     selection signal if the network latency value is less than the network latency threshold; and  
10                an answering modem coupled to the internet protocol network, the answering  
11     modem being operable to receive the low speed modem connection signal and the high speed  
12     modem connection signal.

1           2.     The communications system of claim 1, further comprising:  
2                 a calling facsimile terminal coupled to the calling modem; and  
3                 an answering facsimile terminal coupled to the answering modem.

1           3.     The communications system of claim 1, wherein a calling gateway includes the  
2     calling modem and an answering gateway includes the answering modem.

1           4.     The communications system of claim 1, wherein the high speed modem  
2     connection comprises a V.8 modem connection.

1           5.     The communications system of claim 1, wherein the low speed modem  
2 connection comprises a Group 3 connection.

1           6.     The communications system of claim 1, wherein the high speed modem  
2 connection comprises a V.34 half-duplex connection.

1           7.     A calling modem configured for network latency recovery comprising:  
2                 a timer to store a network latency value;  
3                 a comparison block to compare the network latency value and a network  
4 latency threshold; and  
5                 a modem connection selection block to transmit a low speed modem  
6 connection selection signal if the network latency value is less than the network  
7 latency threshold and to transmit a high speed modem connection signal if the network  
8 latency value is greater than the network latency threshold.

1           8.     The calling modem of claim 7, wherein the high speed modem connection  
2 comprises a V.8 modem connection.

1           9.     The calling modem of claim 7, wherein the low speed modem connection  
2 comprises a Group 3 connection.

1           10.    The calling modem of claim 7, wherein the high speed modem connection  
2 comprises a V.34 half-duplex connection.

1 11. A method of handling network latency, comprising the steps of:  
2 storing a network latency value;  
3 comparing the network latency value to a network latency threshold;  
4 transmitting a low speed modem connection signal if the network latency value  
5 is less than the network latency threshold; and  
6 transmitting a high speed modem connection selection signal if the network  
7 latency value is less than the network latency threshold.

1 12. The method of claim 11, wherein the high speed modem connection selection  
2 signal selects a V.8 modem connection.

1 13. The method of claim 11, wherein the low speed modem connection selection  
2 signal selects a Group 3 connection.

1 14. The method of claim 11, wherein the high speed modem connection selection  
2 signal selects a V.34 half-duplex connection.

1 15. A method of handling network latency, comprising the steps of:  
2 operating a high speed modem connection;  
3 measuring network latency;  
4 comparing the network latency to a network latency threshold;  
5 continuing operation of the high speed modem connection if the network  
6 latency is less than the network latency threshold; and  
7 terminating the high speed modem connection if the network latency is greater  
8 than the network latency threshold.

1           16.    The method of claim 15, further comprising the step of:  
2                    establishing a low speed modem connection if the network latency is greater  
3                    than the network latency threshold.

1           17.    The method of claim 16, further comprising the step of:  
2                    providing a low speed modem selection signal if the network latency is greater  
3                    than the network latency threshold to indicate to perform the establishing a low speed  
4                    modem connection step.

1           18.    The method of claim 16, wherein the low speed modem connection comprises  
2                    a Group 3 connection.

1           19.    The method of claim 15, wherein the high speed modem connection comprises  
2                    a V.8 modem connection.

1           20.    The method of claim 15, further comprising the step of:  
2                    providing a high speed modem selection signal to indicate to perform the  
3                    continuing operation step if the network latency is less than the network latency  
4                    threshold.

1           21.    The method of claim 15, wherein the high speed modem connection comprises  
2                    a V.34 half-duplex connection.

## ABSTRACT

A communications system includes an internet protocol network, a calling modem and an answering modem configured to effectively handle network latency. The calling modem includes a timer storing a network latency value. The network latency value is compared to a network latency threshold. If the network latency value is less than the network latency value, then a high speed modem connection is continued. If the network latency value is greater than the network latency value, then the high speed modem connection is terminated. In place of the high speed modem connection, a low speed modem connection is established. The calling modem is operable to transmit a modem connection selection signal for selecting a high speed modem connection or a low speed modem connection. The answering modem is operable to receive the modem connection selection signal.

5 C

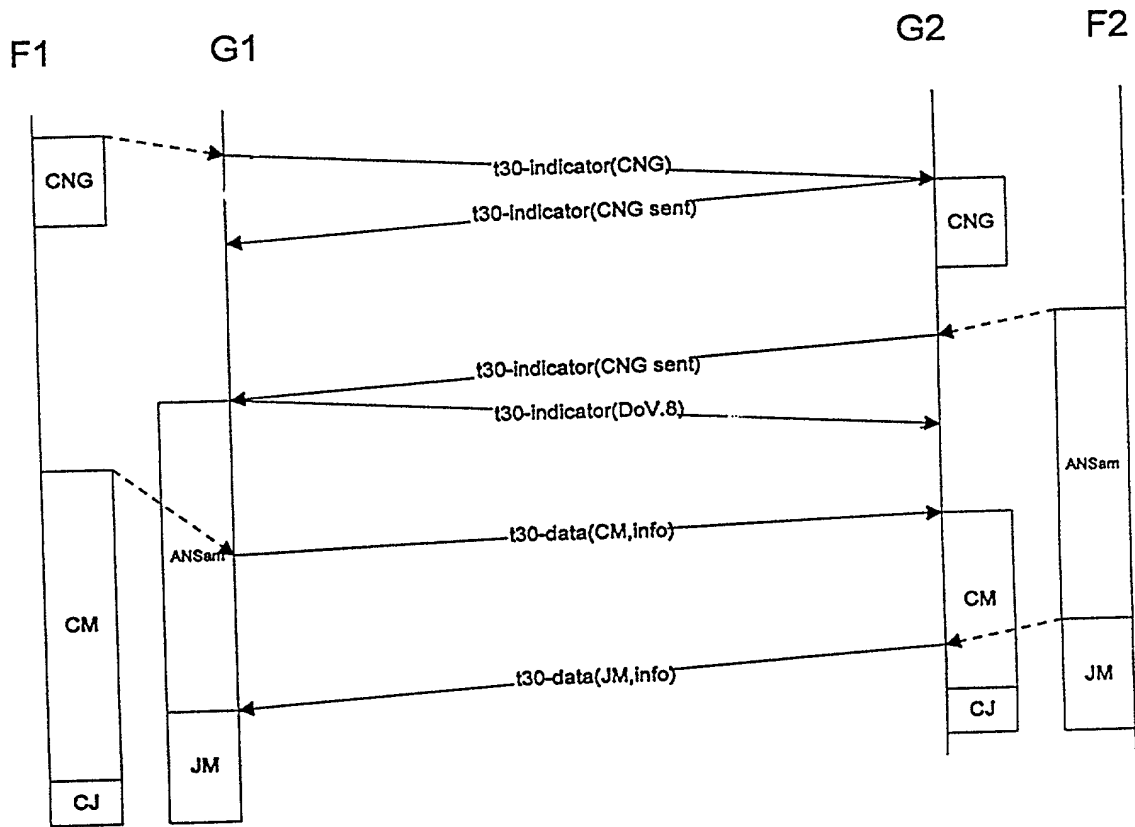


FIGURE 1



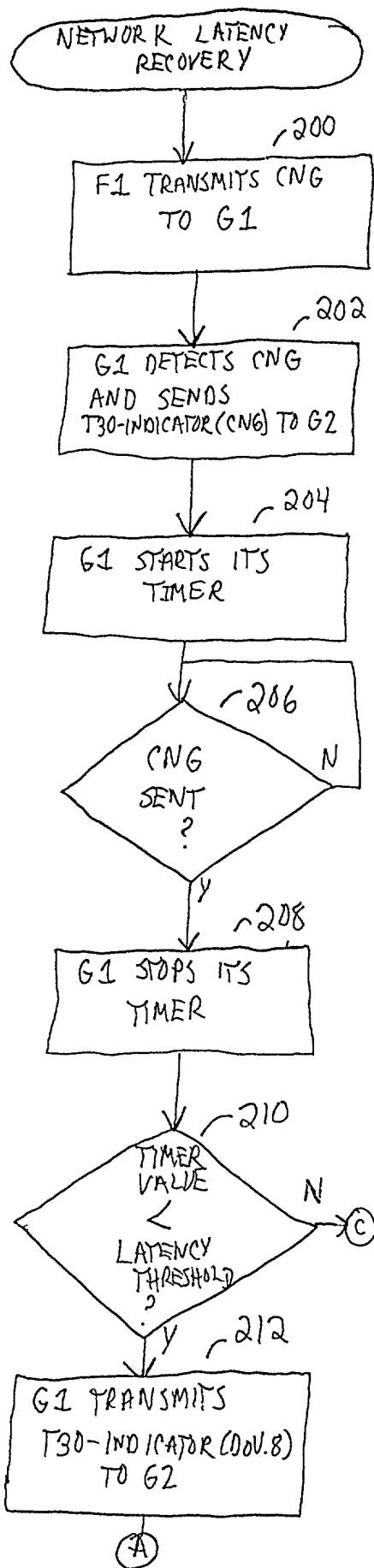


FIGURE 2A

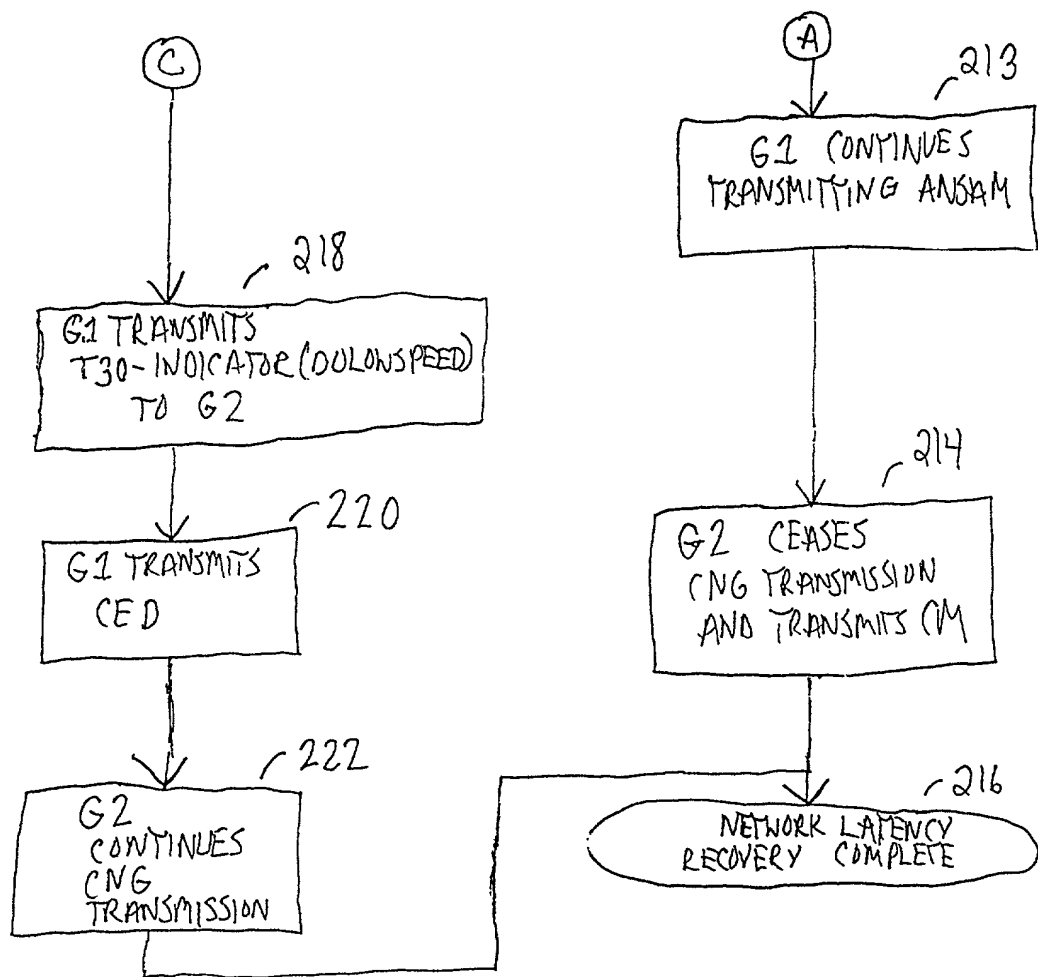


FIGURE 2B

C

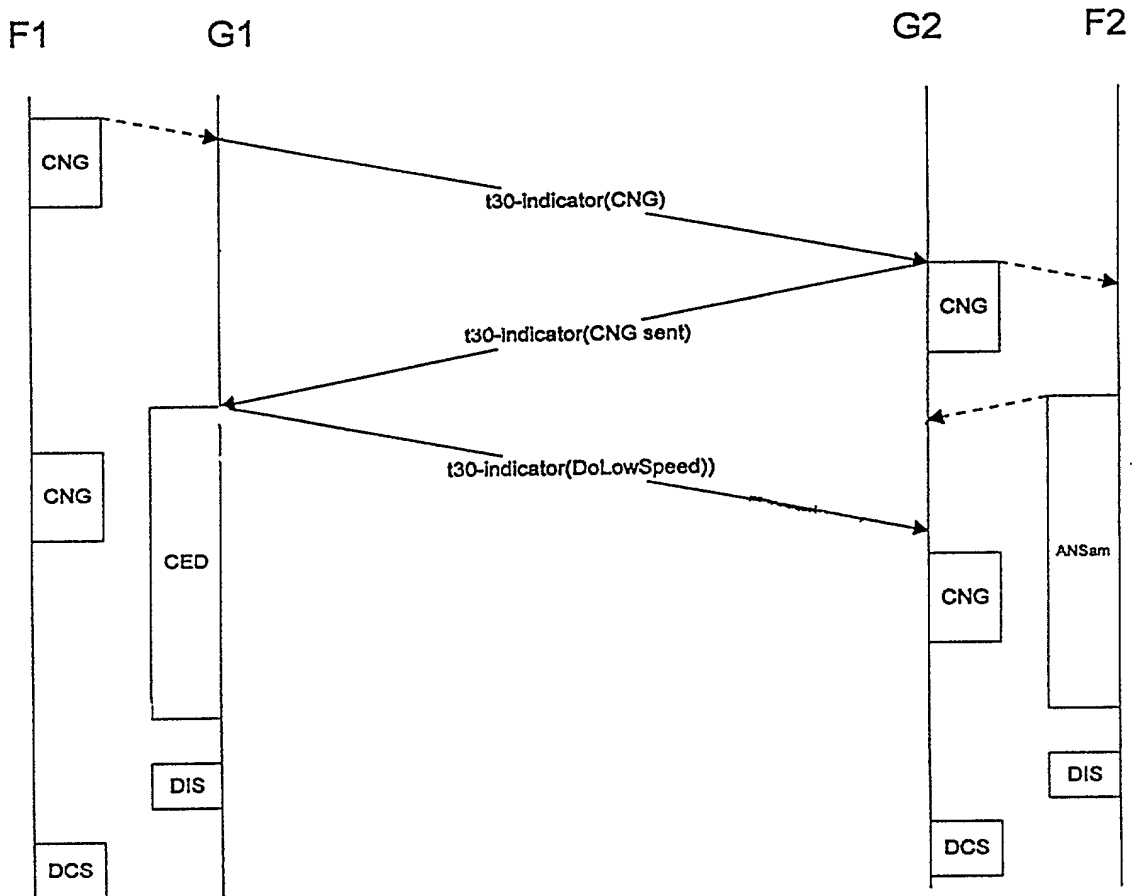


FIGURE 3

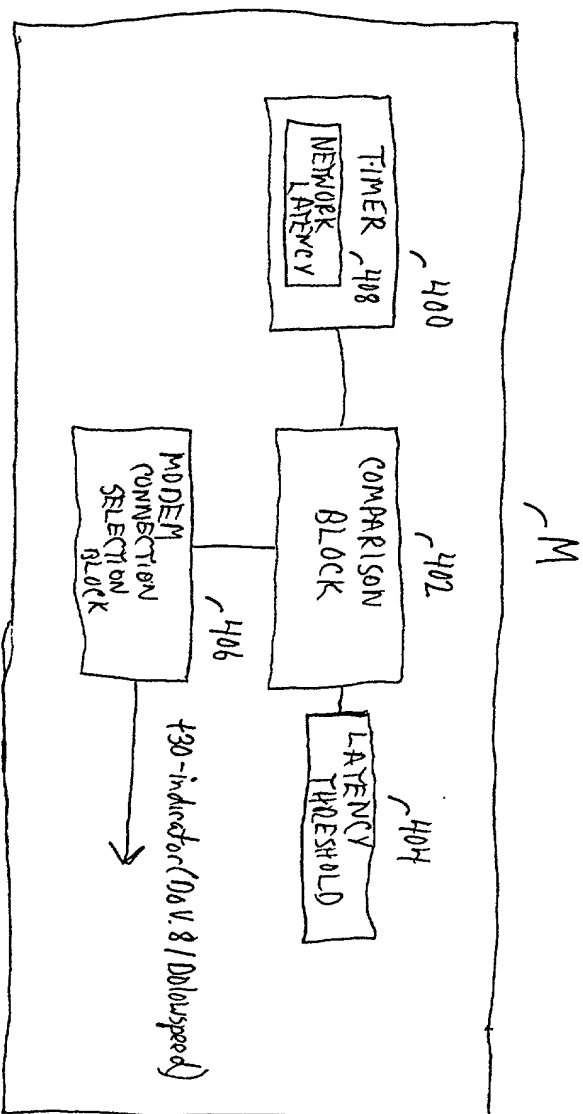


FIGURE 4